

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter B. Madoff
Serial No. : 09/392,018
Filed : September 8, 1999
Title : OPENING PRICE PROCESS FOR TRADING SYSTEM

Art Unit : 2165
Examiner : Thompson Jr., F.

Commissioner for Patents
Washington, D.C. 20231

RESPONSE

In response to the action mailed October 24, 2000, please amend the application as follows:

In the Claims:

1. (Amended) A method of determining an opening price for a product traded in a trading system, the method executed over a distributed network computer system, said method comprising:

receiving orders from customers for [a] the product, [each order] the orders specifying a quantity and whether the order is a buy or sell order;

determining an imbalance condition between received buy orders and received sell orders for the product; and

posting an allocation message to market maker participants to communicate an expected allocation of the imbalance for execution at an initial opening of the market on the side of the imbalance in the event that the imbalance exists at the opening.

5. (Amended) The method of claim 1 further comprising:

disseminating a message that indicates a current imbalance between buy and sell orders for the product; and

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

February 22, 2001

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Maie Collins

Maie Collins

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